BCMA CODE OF CONDUCT

Child Safety, Wellbeing and Appropriate Behaviour

1. Purpose and commitment

The Ballarat Centre of Music and the Arts (BCMA) is committed to providing a safe, inclusive, respectful and supportive environment for all children, young people and adults involved in our organisation.

This Code of Conduct outlines the standards of behaviour expected of all BCMA management, teachers, employees, contractors, volunteers, students, families and other representatives when interacting with children and adults within the BCMA community.

The Code reflects BCMA's commitment to child safety, wellbeing, dignity, equality and respect, and our zero-tolerance approach to child abuse, neglect, exploitation, discrimination, bullying and all forms of harm.

The safety and wellbeing of children and young people is, and always will be, our highest priority.

Every person involved with BCMA has a responsibility to contribute to a culture where children feel safe, heard, respected, valued and empowered to participate in the performing arts.

This Code must be read in conjunction with the BCMA Child Safety and Wellbeing Policy and Procedures, Complaints Handling Procedures, Risk Management Procedures and any other relevant BCMA policies.

Compliance with this Code is a condition of engagement for all BCMA employees, teachers, contractors and volunteers.

2. Legislative and regulatory framework

BCMA is committed to meeting its obligations under applicable Victorian and Commonwealth legislation, regulations and child safety requirements, including:

- **Child Wellbeing and Safety Act 2005 (Vic) –** including the Victorian Child Safe Standards and, where applicable, the Reportable Conduct Scheme.
- **Working with Children Act 2005 (Vic) –** requirements relating to Working with Children Checks and eligibility to undertake child-related work.
- **Crimes Act 1958 (Vic) –** including offences relating to grooming, failure to disclose a sexual offence against a child and failure to protect a child from sexual abuse.
- **Children, Youth and Families Act 2005 (Vic) –** including mandatory reporting obligations for prescribed professionals.
- **Education and Training Reform Act 2006 (Vic) –** where applicable to BCMA's activities and operations.
- **Equal Opportunity Act 2010 (Vic) –** prohibiting discrimination, sexual harassment and victimisation.
- **Disability Discrimination Act 1992 (Cth)** and **Disability Standards for Education 2005 (Cth) –** protecting the rights of people with disability and supporting access and participation.
- **Racial Discrimination Act 1975 (Cth)** and **Sex Discrimination Act 1984 (Cth) –** protecting individuals from unlawful discrimination.
- **Privacy Act 1988 (Cth)** and **Privacy and Data Protection Act 2014 (Vic) –** where applicable to the collection, use, storage and disclosure of personal information.
- Any other applicable legislation, regulations, standards and regulatory requirements.

BCMA will regularly review its policies and procedures to ensure they remain consistent with relevant legislative requirements and good practice.

All staff, contractors and volunteers are expected to understand and comply with the legal obligations relevant to their roles.

3. Our child safety principles

BCMA is committed to the following principles:

- All children have the right to feel safe and be protected from abuse and harm.
- Child safety and wellbeing are everyone's responsibility.
- Children have the right to be listened to, express their views and participate in decisions affecting them.
- All children are treated with dignity, fairness and respect.
- Aboriginal and Torres Strait Islander children have the right to feel culturally safe, with their identity, culture, beliefs and connection to community respected.
- Children from culturally and linguistically diverse backgrounds are welcomed and supported.
- Children with disability are supported to participate safely, meaningfully and equally.
- Children who identify as LGBTIQA+ are respected, supported and included.
- Families and carers are encouraged to participate in and contribute to child safety.
- Concerns, complaints and allegations are taken seriously and acted upon promptly.
- No child should experience discrimination, exclusion, intimidation, bullying or victimisation.

4. Understanding child abuse and harm

BCMA has a zero-tolerance approach to all forms of child abuse and harm, including:

- **Physical abuse:** Physical violence, assault, inappropriate physical punishment or any deliberate physical harm.
- **Sexual abuse:** Any sexual activity, exploitation, grooming or inappropriate sexual behaviour involving a child.
- **Emotional or psychological abuse:** Behaviour that damages a child's emotional or psychological wellbeing, including intimidation, humiliation, threats, rejection or persistent belittling.
- **Neglect:** Failure to provide appropriate care, protection, supervision or attention to a child's basic needs.
- **Bullying and harassment:** Repeated or serious behaviour that intimidates, humiliates, threatens or harms another person.
- **Discrimination and racism:** Unfair treatment, exclusion or abuse based on a person's identity, background, disability, culture, religion, gender or other protected characteristic.
- **Cultural abuse:** Behaviour that deliberately attacks, dismisses or undermines a person's culture, identity, beliefs or community.
- **Online abuse and exploitation:** Inappropriate digital communication, cyberbullying, grooming, exploitation or sharing of inappropriate images or information.

BCMA recognises that abuse can occur in person, online, within families, within organisations and through relationships of authority or trust.

5. Expected standards of behaviour

All BCMA management, teachers, employees, contractors and volunteers must:

5.1 Respect and inclusion

- Treat every person with courtesy, dignity, fairness and respect.
- Act as positive role models for children and young people.
- Welcome all children, families and visitors without discrimination.
- Respect individual differences, cultural identities, religious beliefs and personal circumstances.
- Use appropriate, inclusive and respectful language.
- Encourage children to express their opinions, ideas and feelings.
- Listen to children and take their concerns seriously.
- Promote the participation, independence and empowerment of children with disability.
- Respect Aboriginal and Torres Strait Islander cultures, histories, identities and communities.
- Maintain professional and respectful relationships with students, families and colleagues.

5.2 Professional conduct and boundaries

- Maintain appropriate professional boundaries with all students.
- Ensure interactions with children are appropriate, transparent and related to BCMA activities.
- Avoid favouritism, special treatment or exclusive relationships with individual students.
- Ensure any physical contact is appropriate, necessary, respectful and in the child's best interests.
- Seek a child's consent wherever appropriate before physical contact, while recognising that consent does not replace the adult's duty of care.
- Provide assistance with personal care only where necessary, authorised and consistent with BCMA procedures.
- Ensure private or one-to-one interactions occur in observable and appropriate settings wherever possible.
- Use approved BCMA communication channels when communicating with students and families.
- Maintain professional boundaries in person, online and outside BCMA activities.
- Avoid situations that could reasonably be perceived as inappropriate, secretive or exploitative.
- Disclose any actual, potential or perceived conflicts of interest to management.

5.3 Supervision and duty of care

- Provide active, age-appropriate and appropriate supervision of children.
- Take reasonable steps to prevent foreseeable risks of harm.
- Follow BCMA attendance, sign-in, sign-out, collection and supervision procedures.
- Never leave children unsupervised unless expressly permitted under an approved BCMA procedure and appropriate risk assessment.
- Follow emergency, evacuation and incident management procedures.
- Ensure children are only released to authorised parents, carers or nominated persons in accordance with BCMA procedures.
- Report hazards, unsafe conditions, incidents and near misses to management promptly.
- Never use physical punishment or inappropriate restraint.

- Follow approved procedures when transporting children. No staff member or volunteer may transport a child privately without appropriate authorisation and compliance with BCMA procedures.

5.4 Cultural safety and participation

- Respect and promote the cultural safety of Aboriginal and Torres Strait Islander children.
- Recognise and respect the diverse cultural, religious, linguistic and family backgrounds of students.
- Encourage children and families to contribute to decisions affecting them.
- Make reasonable efforts to accommodate disability, communication needs and individual circumstances.
- Support children to participate in performing arts activities without discrimination or unnecessary barriers.
- Undertake relevant cultural awareness and child safety training as directed by BCMA.

5.5 Privacy, confidentiality and information handling

- Respect the privacy and confidentiality of children, families and colleagues.
- Collect, access, use and disclose personal information only for legitimate and authorised purposes.
- Store student records, contact information, medical information and other sensitive information securely.
- Only share information with people who are authorised to receive it or where disclosure is required or permitted by law.
- Never promise a child absolute confidentiality when they disclose abuse or harm.
- Explain sensitively that information may need to be shared with appropriate people to keep them safe.
- Follow BCMA requirements regarding photographs, videos, recordings, publicity and social media.
- Obtain appropriate parent or carer consent and, where appropriate, the child's agreement before photographing, filming or recording a child.
- Never publish identifying information, images or recordings of a child without appropriate authorisation.

Confidentiality must never be used as a reason to withhold information about suspected abuse, neglect or risks to a child's safety.

6. Prohibited behaviour

BCMA staff, contractors and volunteers must NOT:

- Engage in, encourage, facilitate or ignore any form of child abuse, neglect, exploitation or harm.
- Ignore or dismiss a child's disclosure, complaint or expression of concern.
- Engage in sexualised behaviour with or in the presence of a child.
- Groom, manipulate, intimidate, threaten or exploit a child.
- Use physical punishment, unnecessary physical force or inappropriate restraint.
- Humiliate, shame, ridicule, belittle or intimidate a student.
- Use discriminatory, racist, offensive, threatening or sexually inappropriate language.
- Engage in bullying, harassment, victimisation or exclusion.
- Develop secretive, inappropriate or overly personal relationships with students.

- Give individual students inappropriate gifts, money, favours or special privileges.
- Invite students to private homes or arrange private meetings without appropriate authorisation and a legitimate BCMA purpose.
- Communicate privately or inappropriately with students through personal social media accounts, messaging applications, email or other digital platforms.
- Request, create, possess, access or share sexually explicit images or material involving children.
- Photograph, film or record children without appropriate authorisation.
- Share photographs, videos or personal information about students on personal social media accounts.
- Engage in unnecessary or inappropriate physical contact.
- Discuss sexual matters, adult content or other inappropriate topics with students.
- Consume alcohol or illicit drugs while supervising children or undertaking BCMA duties, or attend duties impaired by alcohol or drugs.
- Use their position, authority or relationship with a student for personal benefit.
- Ignore BCMA child safety procedures or fail to report concerns.
- Take retaliatory action against anyone who raises a genuine child safety concern or makes a complaint.

7. Working with Children Checks and recruitment

BCMA is committed to safe recruitment and engagement practices.

All relevant employees, contractors and volunteers must:

- Hold a valid Working with Children (WWC) Clearance or applicable legal exemption where required.
- Provide their WWC Check details and any other information reasonably required by BCMA.
- Allow BCMA to verify their WWC status before commencing child-related work.
- Notify BCMA immediately of any change to their WWC status, suspension, cancellation or other relevant restriction.
- Never undertake child-related work if prohibited from doing so by law.
- Participate in child safety induction and ongoing training as required.
- Comply with applicable WWC Connect requirements. (Oct, 2026)

BCMA management is responsible for ensuring that required WWC checks are verified, records are maintained and relevant workers and volunteers are connected through WWC Connect in accordance with Victorian requirements.

A WWC Clearance does not replace the requirement to comply with this Code, maintain professional boundaries or report concerns.

8. Reporting concerns, disclosures and allegations

Every person involved with BCMA has a responsibility to act when they become aware of a child safety concern.

Concerns may include:

- A child disclosing abuse or harm.
- Suspected abuse, neglect, grooming or exploitation.
- Inappropriate conduct by a staff member, teacher, contractor, volunteer or another person.
- Breaches of this Code of Conduct.

- Unsafe environments, supervision practices or activities.
- Bullying, harassment, discrimination or racism.
- Concerns about a person's suitability to work with children.

All concerns must be reported promptly to BCMA's designated Child Safety Representatives:

Emma Sbardella and/or Paula Heenan.

If the concern involves either representative, the person must report it directly to another appropriate member of BCMA management or an external authority.

8.1 Responding to a child's disclosure

If a child tells you about abuse or harm:

- Remain calm, listen carefully and take the child seriously.
- Reassure the child that they have done the right thing by speaking up.
- Do not blame, judge or interrogate the child.
- Do not ask leading or unnecessary questions.
- Do not promise secrecy or confidentiality.
- Explain that you may need to tell someone who can help keep them safe.
- Record the child's words as accurately as possible, together with the date, time and relevant circumstances.
- Report the disclosure immediately through the appropriate reporting channels.

Do not conduct your own investigation or confront the person accused.

8.2 Legal reporting obligations

BCMA recognises that different legal reporting obligations apply to different people and circumstances.

These include:

Mandatory reporting

Certain prescribed professionals, including teachers and other specified professionals, have a legal obligation under the Children, Youth and Families Act 2005 (Vic) to report to Child Protection when they form the required reasonable belief that a child is in need of protection from physical injury or sexual abuse.

This obligation must be fulfilled by the individual mandated reporter. Reporting internally to BCMA management does not replace their personal legal obligation.

Failure to disclose

Under the Crimes Act 1958 (Vic), an adult who forms a reasonable belief that a sexual offence has been committed against a child under 16 by another adult generally has a legal obligation to disclose that information to Victoria Police, unless a recognised legal exemption or reasonable excuse applies.

Failure to protect

A person in authority within an organisation may commit an offence if they know that an adult associated with the organisation poses a substantial risk of committing a sexual offence against a child under 16 and negligently fail to take reasonable steps to protect children from that risk.

Reportable Conduct Scheme

Where BCMA is a prescribed organisation covered by the Victorian Reportable Conduct Scheme, the head of the organisation must notify the Social Services Regulator (SSR) of reportable allegations against workers and volunteers within the statutory timeframe.

This includes allegations involving sexual offences, sexual misconduct, physical violence, significant emotional or psychological harm and significant neglect.

Where applicable, the head of the organisation must also investigate allegations, manage risks to children, provide required updates and report investigation outcomes in accordance with the Scheme.

Police and Child Protection reporting

Any suspected criminal conduct, immediate danger or serious child safety concern must be referred to the appropriate external authority.

Internal reporting must never delay an urgent report to Victoria Police or Child Protection.

8.3 External reporting contacts

- **Emergency Police, Ambulance or Fire:** 000
- **Victoria Police Assistance Line:** 131 444
- **Child Protection – Victoria:** 13 12 78
- **Child Protection After Hours Emergency Service:** 13 12 78
- **Social Services Regulator:** 1300 310 778

If a child is in immediate danger, call 000.

9. Complaints, breaches and consequences

All complaints and alleged breaches of this Code will be taken seriously and managed promptly, fairly, sensitively and in accordance with BCMA's Child Safety and Wellbeing Policy and Complaints Handling Procedures.

BCMA will:

- Listen to and respect the concerns of children, families, staff and other community members.
- Take appropriate steps to protect children from further harm.
- Maintain appropriate confidentiality and records.
- Ensure that concerns are referred to external authorities where required.
- Provide procedural fairness to people who are the subject of allegations.
- Take appropriate disciplinary, employment or contractual action where breaches are substantiated.
- Protect people who raise concerns in good faith from victimisation or retaliation.
- Review incidents and complaints to identify opportunities to improve child safety.

Breaches of this Code may result in counselling, additional training, restrictions on duties, suspension, termination of employment or engagement, removal from volunteer activities or referral to relevant authorities, depending on the circumstances.

10. Responsibilities of BCMA management

BCMA management is responsible for establishing and maintaining a child-safe culture throughout the organisation.

This includes:

- Promoting and modelling appropriate conduct.

- Ensuring the Child Safety and Wellbeing Policy and this Code are implemented.
- Providing staff, contractors and volunteers with appropriate induction and training.
- Ensuring appropriate recruitment, screening and WWC compliance.
- Maintaining effective supervision and risk management arrangements.
- Ensuring children and families know how to raise concerns and make complaints.
- Responding appropriately to allegations, disclosures and incidents.
- Meeting applicable external reporting and notification obligations.
- Regularly reviewing policies, procedures and practices.
- Consulting with children, families, staff and the wider community about child safety and wellbeing.

11. Acknowledgement and agreement

BCMA is committed to providing a positive, safe and welcoming environment where every person can participate in the performing arts with confidence, dignity and respect.

Child safety is everyone's responsibility. By signing below, I acknowledge that:

- I have read and understood the BCMA Code of Conduct.
- I have read, or have been provided with access to, the BCMA Child Safety and Wellbeing Policy and Procedures.
- I understand my responsibilities in protecting children and promoting their safety and wellbeing.
- I agree to comply with this Code and all relevant BCMA policies and procedures.
- I understand that I must report any child safety concerns, disclosures, suspected abuse or breaches of this Code.
- I understand that failure to comply may result in disciplinary or other appropriate action.

Name: _____

Position / Role: _____

Signature: _____

Date: _____

For BCMA management use

Received by: _____

Date received: _____